

## CHAPTER 133.

## PROCUREMENT OF SITES FOR R. R. BUILDINGS IN CITIES AND TOWNS.

**AN ACT** to Authorize Incorporated Towns and Cities to procure and donate to Railway Companies Sites for Depots, Machine-shops, and other Buildings. [Additional to Code, Title IV, Chapter 10, relating to Cities and Towns.] H. F. 418.

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1.** That it shall be lawful for any incorporated town or city to procure for the purpose of donating, and to donate, to any railway company owning a line of railroad in operation or in process of construction, in such incorporated town or city, sufficient land for depot-grounds, engine-houses, and machine-shops, for the construction and repair of engines, cars, and other machinery necessary to the convenient use and operation of said railroad. Towns or cities may procure and donate to railway companies sites for buildings;

**SEC. 2.** Before such donation shall be made or appropriation of funds to procure land for such purpose, a petition shall be presented to the trustees or council of such incorporated town or city, signed by a majority of the resident freehold taxpayers of such incorporated town or city, asking that such donation be made and limiting the sum to be appropriated for that purpose. Upon the presentation of such petition, a special election of such city or town shall be called. On the ballots used at such election shall be printed the words, "for the donation" and "against the donation," and if a two-thirds majority of the qualified electors voting at such election shall vote for the donation, said trustees or council shall determine the site to be donated, designating the boundaries thereof, and the amount to be appropriated in procuring said site, not exceeding the amount named in said petition; and may in the name of such incorporated town or city procure said land by purchase or by payment of the estimated damages in case said land or any part thereof shall be taken in the name of such railway company by process of condemnation for railroad purposes, and may also vacate any streets and alleys within the boundaries of said site and may prescribe the terms, conditions, and limitations upon which such grant shall be made, which shall be binding upon the railway company accepting such donation: *Provided*, that land set apart as a park, public square, or levee shall not be appropriated or donated under the provisions of this act, and no land occupied with buildings used for business purposes or as private residences shall be appropriated or donated under the provisions of this act, unless the consent of the owners thereof shall first be obtained. upon petition of majority of resident freehold taxpayers and approval by two-thirds of electors at special election.

**SEC. 3.** This act being deemed of immediate importance shall take effect and be in force from and after its publication in the May vacate streets and alleys for the purpose.

No public grounds to be taken, or improved property, without consent.

Publication.

Iowa State Register and Iowa State Leader, newspapers published at Des Moines, Iowa.

Approved, March 17, 1882.

I hereby certify that the foregoing act was published in *The Iowa State Leader* March 21, and the *Iowa State Register* March 23, 1882.

J. A. T. HULL, *Secretary of State*.

## CHAPTER 134.

### LEGALIZING SCHOOL-LAND SALES IN ALLAMAKEE COUNTY.

H. F. 828. AN ACT to Legalize the Sale of certain School-Lands in Allamakee County.

**Preamble.** WHEREAS, The board of supervisors of Allamakee county made sale by contract of certain school-lands in said county to parties, which land is described as follows; to-wit, the southwest quarter of the southeast quarter of section twenty-four (24), township ninety-seven (97), range five (5), the appraisement of which fails to appear of record; and,

**Appraisement not recorded.**

**Land sold for less than appraisement.** WHEREAS, The said board made sale of certain other piece of school-land by contract; to-wit, the southeast quarter of the southwest quarter of section four (4), township ninety-seven, range [five] (5) west, containing thirty-four (34) acres, the same having been sold for a sum less than the appraised value; therefore,

*Be it enacted by the General Assembly of the State of Iowa:*

**Legalized.** SECTION 1. That the sale of said lands *are* [is] hereby legalized and made valid to the same extent as if the said appraisement appeared of record; and that the sale of the said southeast quarter of the southwest quarter of section four (4), township ninety-seven (97), range five (5), be also legalized and made valid to the same extent as if it had been sold for a sum equal to or about its appraised value; and that upon the transmission of a certificate to the state land-office by the county auditor of said county, certifying that the several purchase[r]s of said parcels of land have paid the contract price for the same, the said parties thus purchasing shall each be entitled to a patent for said land.

**Purchasers paying up to have patent.**

Approved, March 17, 1882.